

United States District Court

for the
Western District of New York

United States of America

v.

Case No. 25-mj- 52

ALEJANDRO MENDEZ FLORES

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of April 30, 2025, in the County of Erie, in the Western District of New York, the defendant, Alejandro Mendez Flores, an alien, not a citizen or national of the United States, who previously had been deported or removed from the United States on or about July 29, 2019, was found in the United States of America, without having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to reapply for admission to the United States. All in violation of Title 8, United States Code, Section 1326(a).

This Criminal Complaint is based on these facts:

Continued on the attached sheet.



Complainant's signature

DANIEL A. WHITTEN
ENFORCEMENT OFFICER
U.S. CUSTOMS AND BORDER PROTECTION

Printed name and title

Sworn to before me and signed telephonically.

Date: May 1 , 2025



Judge's signature

City and State: Buffalo, New York

HONORABLE H. KENNETH SCHROEDER, JR.
UNITED STATES MAGISTRATE JUDGE

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

Daniel A. Whitten, being duly sworn, deposes and says that:

1. I am an Enforcement Officer with United States Customs and Border Protection (“CBP”), within the Department of Homeland Security (“DHS”), and have been so employed for the past 16 years. Prior to that, I was employed by the same Agency, in a similar capacity, for 5 years. In such capacity, my duties include investigating individuals suspected of violating federal immigration laws and other related federal statutes and crimes.

2. As part of my current duties, I have become involved in an investigation of suspected violation of Title 8, United States Code, Section 1326(a).

3. I make this affidavit in support of the annexed criminal complaint charging Alejandro Mendez Flores (“FLORES”), an alien, not a citizen or national of the United States, born in 1986, in Mexico, with being found in the United States without the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, after having been deported or removed from the United States, in violation of Title 8, United States Code, Section 1326(a).

4. This affidavit is being submitted for the limited purpose of securing a Criminal Complaint. I have not included each and every fact known to me concerning this investigation.

I have set forth only the facts that I believe are necessary to establish probable cause to believe that FLORES did knowingly violate Title 8, United States Code, Section 1326(a)..

5. On or about April 30, 2025, at the Peace Bridge Port of Entry in Buffalo, New York, in the Western District of New York, officers of U.S. Customs and Border Protection ("CBP") encountered FLORES. FLORES was driving a vehicle bearing State of Kentucky registration and inadvertently entered onto the bridge toward Canada. FLORES proceeded toward Canada and was refused admission to Canada. Thereafter, FLORES was encountered by officers of CBP. During primary inspection, officers discovered that FLORES was the subject of an immigration lookout and, as part of normal procedure, further inspection was conducted.

6. Specifically, officers of CBP conducted an electronic search of FLORES's fingerprints in FBI and immigration databases to verify his identity and any immigration history he may have in the United States. The fingerprint search revealed that FLORES was an identical biometric match to FBI number 7L1F1VXXX and immigration fingerprint identification number 1285529XXX. Records associated to the indexed FBI number and the immigration fingerprint identification number revealed that FLORES was previously arrested by U.S. Border Patrol agents in Texas in or around July 2019 after having illegally entered the United States. The FBI and immigration fingerprint identification records referenced alien file number A203 797 XXX.

7. Electronic records associated to the alien file number confirmed that FLORES was noticed and ordered removed from the United States by way of Expedited Removal on or about July 29, 2019. Therefore, FLORES was physically removed from the United States

through the Eagle Pass, Texas Port of Entry on or about July 29, 2019.

8. There is no evidence that FLORES had any authorization or approval from the Attorney General of the United States or the Secretary for the Department of Homeland Security to reenter the United States after his last removal.

WHEREFORE, I respectfully submit the foregoing facts to establish probable cause to believe that on or about April 30, 2025, within the Western District of New York, Alejandro Mendez Flores, an alien, was found in the United States after having been previously deported or removed from the United States, without the requisite permission from the Attorney General of the United States or the Secretary for the Department of Homeland Security, in violation of Title 8, United States Code Section 1326(a).



Daniel A. Whitten
Enforcement Officer
U.S. Customs and Border Protection

Subscribed and sworn to before me telephonically
on this 1st day of May, 2025.

H. Kenneth Schroeder, Jr.
HONORABLE H. KENNETH SCHROEDER, JR.
United States Magistrate Judge